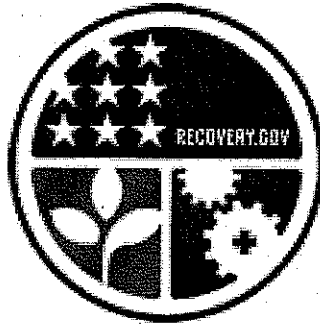


NY

Amended Application for Funding under the State Fiscal Stabilization Fund Program

(Amended January 3, 2011)

**CFDA Numbers: 84.394 (Education Stabilization Fund) and
84.397 (Government Services Fund)**



**U.S. Department of Education
Washington, D.C. 20202**

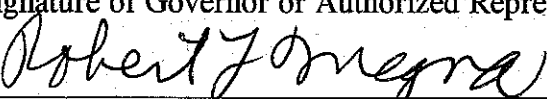
**OMB Number: 1810-0690
Expiration Date: 11/30/2012**

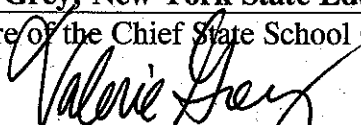
Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0690. The time required to complete this information collection is estimated to average 17 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: State Fiscal Stabilization Fund Program, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Ave., S.W., Room 3E108, Washington, D.C. 20202-3118

STATE FISCAL STABILIZATION FUND APPLICATION

PART 1: APPLICATION COVER SHEET (CFDA Nos. 84.394 and 84.397)

<p>Legal Name of Applicant (Office of the Governor):</p> <p>Office of Governor Andrew M. Cuomo</p>	<p>Applicant's Mailing Address:</p> <p>State Capitol Albany, NY 12224</p>
<p>State Contact for the Education Stabilization Fund (CFDA No. 84.394)</p> <p>Name: Robert L. Megna</p> <p>Position and Office: Director, Division of the Budget</p> <p>Contact's Mailing Address: New York State Division of the Budget State Capitol Albany, NY 12224</p> <p>Telephone: 518-474-2300</p> <p>Fax: 518-402-2298</p> <p>E-mail address: robert.megna@budget.state.ny.us</p>	<p>State Contact for the Government Services Fund (CFDA No. 84.397)</p> <p><i>(Enter "same" if the same individual will serve as the contact for both the Education Stabilization Fund and the Government Services Fund.)</i></p> <p>Name:</p> <p>Position and Office: Same</p> <p>Contact's Mailing Address: Same</p> <p>Telephone:</p> <p>Fax:</p> <p>E-mail address:</p>
<p>To the best of my knowledge and belief, all of the information and data in this application are true and correct.</p>	
<p>Governor or Authorized Representative of the Governor (Printed Name):</p> <p>Robert L. Megna, Director, Division of the Budget</p>	<p>Telephone:</p> <p>518-474-2300</p>
<p>Signature of Governor or Authorized Representative of the Governor:</p> <p></p>	<p>Date:</p> <p>3/21/11</p>

<p>Recommended Statement of Support from the Chief State School Officer <i>(Optional)</i>:</p>	
<p>The State educational agency will cooperate with the Governor in the implementation of the State Fiscal Stabilization Fund program.</p>	
<p>Chief State School Officer (Printed Name):</p> <p>Valerie Grey, New York State Education Chief Operating Officer</p>	<p>Telephone:</p> <p>518-473-8381</p>
<p>Signature of the Chief State School Officer:</p> <p></p>	<p>Date:</p> <p>3/18/11</p>

PART 2, SECTION A: EDUCATION REFORM ASSURANCES

The Governor or his/her authorized representative assures the following:

- (1) The State will take actions to improve teacher effectiveness and comply with section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 6311(b)(8)(C)) in order to address inequities in the distribution of highly qualified teachers between high- and low-poverty schools, and to ensure that low-income and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers. (*Achieving Equity in Teacher Distribution Assurance*)
- (2) The State will establish a longitudinal data system that includes the elements described in section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871(e)(2)(D)). (*Improving Collection and Use of Data Assurance*)
- (3) The State will –
 - (3.1) Enhance the quality of the academic assessments it administers pursuant to section 1111(b)(3) of the ESEA (20 U.S.C. 6311(b)(3)) through activities such as those described in section 6112(a) of the ESEA (20 U.S.C. 7301a(a)); (*Improving Assessments Assurance*)
 - (3.2) Comply with the requirements of paragraphs (3)(C)(ix) and (6) of section 1111(b) of the ESEA (20 U.S.C. 6311(b)) and section 612(a)(16) of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1412(a)(16)) related to the inclusion of children with disabilities and limited English proficient students in State assessments, the development of valid and reliable assessments for those students, and the provision of accommodations that enable their participation in State assessments; (*Inclusion Assurance*) and
 - (3.3) Take steps to improve State academic content standards and student academic achievement standards consistent with section 6401(e)(1)(A)(ii) of the America COMPETES Act. (*Improving Standards Assurance*)
- (4) The State will ensure compliance with the requirements of section 1116(b)(7)(C)(iv) and section 1116(b)(8)(B) of the ESEA with respect to schools identified under these sections. (*Supporting Struggling Schools Assurance*)

Governor or Authorized Representative of the Governor (Printed Name):	
Signature: (Document on File with the U.S. Department of Education – No Further Action Necessary)	Date:

PART 2, SECTION B: EDUCATION REFORM ASSURANCES DATA

SPECIAL NOTES:

- In this portion of the application, please describe the State's current status for each indicator or descriptor in the State's Phase 2 SFSF application by completing the chart below and choosing a response for each pull down menu.
- If the State has met the reporting requirement(s) for each indicator or descriptor, please change the "Progress" column to "Completed" and provide the URL where the information can be found.
- If the State has not met the reporting requirement(s) for each indicator or descriptor, please specify the current status in the "Progress" column. Additionally, the State should update the URL(s) and/or State Plan(s) to reflect the most recent versions. (If the State cannot provide the State Plan through a URL, please attach the update plan to the end of this section).

Assurance (a): Achieving Equity in Teacher Distribution

Indicator	Progress	URL	State Plan
Indicator (a)(1): Confirm, for the State, the number and percentage (including numerator and denominator) of core academic courses taught, in the highest-poverty and lowest-poverty schools, by teachers who are highly qualified consistent with section 9101(23) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).	Completed	http://www.emsc.nysed.gov/vppd/documents/HQTNat1201008-09data.xls	N/A
Indicator (a)(2): Confirm whether the State's Teacher Equity Plan (as part of the State's Highly Qualified Teacher Plan) fully reflects the steps the State is currently taking to ensure that students from low-income families and minority students are not taught at higher rates than other students by inexperienced, unqualified, or out-of-field teachers (as	Completed	http://www.emsc.nysed.gov/vppd/HQT-Equitable.html	N/A

Indicator	Progress	URL	State Plan
required in section 1111(b)(8)(C) of the ESEA)			
Descriptor (a)(1): Describe, for each local educational agency (LEA) in the State, the systems used to evaluate the performance of teachers and the use of results from those systems in decisions regarding teacher development, compensation, promotion, retention, and removal.	Less than 50% completed	See State Plan	See State Plan
Indicator (a)(3): Indicate, for each LEA in the State, whether the systems used to evaluate the performance of teachers include student achievement outcomes or student growth data as an evaluation criterion.	Less than 50% completed	See State Plan	See State Plan
Indicator (a)(4): Provide, for each LEA in the State whose teachers receive performance ratings or levels through an evaluation system, the number and percentage (including numerator and denominator) of teachers rated at each performance rating or level.	Less than 50% completed	See State Plan	See State Plan
Indicator (a)(5): Indicate, for each LEA in the State whose teachers receive performance ratings or levels through an evaluation system, whether the number and percentage (including numerator and denominator) of teachers rated at each performance rating or level are publicly reported for each school in the LEA.	Less than 50% completed	See State Plan	See State Plan
Descriptor (a)(2): Describe, for each LEA in the State, the systems used to evaluate the performance of principals and the use of results from those systems in decisions regarding principal development, compensation, promotion, retention, and removal.	Less than 50% completed	See State Plan	See State Plan

Indicator	Progress	URL	State Plan
Indicator (a)(6): Indicate, for each LEA in the State, whether the systems used to evaluate the performance of principals include student achievement outcomes or student growth data as an evaluation criterion.	Less than 50% completed	See State Plan	See State Plan
Indicator (a)(7): Provide, for each LEA in the State whose principals receive performance ratings or levels through an evaluation system, the number and percentage (including numerator and denominator) of principals rated at each performance rating or level.	Less than 50% completed	See State Plan	See State Plan

Assurance (b): Improving Collection and Use of Data

Indicator	Progress	URL	State Plan
Indicator (b)(1) element 1: A unique statewide student identifier that does not permit a student to be individually identified by users of the system.	Completed	http://www.p12.nysed.gov/irs/sirs/documentation/nyssisguide.pdf	N/A
Indicator (b)(1) element 2: Student-level enrollment, demographic, and program participation information.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf and http://www.p12.nysed.gov/irs/arra/home.html	N/A
Indicator (b)(1) element 3: Student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete pre-K through postsecondary education programs.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf and http://www.p12.nysed.gov/irs/arra/home.html	N/A
Indicator (b)(1) element 4: The capacity to communicate with higher education data systems.	Completed	http://www.p12.nysed.gov/irs/arra/home.html	N/A

Indicator	Progress	URL	State Plan
Indicator (b)(1) element 5: An audit system assessing data quality, validity, and reliability.	Completed	http://www.p12.nysed.gov/irs/sirs/uia.html	N/A
Indicator (b)(1) element 6: Yearly State assessment records of individual students.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf	N/A
Indicator (b)(1) element 7: Information on students not tested, by grade and subject.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf	N/A
Indicator (b)(1) element 8: A teacher identifier system with the ability to match teachers to students.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf	N/A
Indicator (b)(1) element 9: Student-level transcript information, including on courses completed and grades earned.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf	N/A
Indicator (b)(1) element 10: Student-level college readiness test scores.	Completed	http://www.p12.nysed.gov/irs/sirs/2010-11/2010-11SIRSMannual6-0FINAL20101015.pdf	N/A
Indicator (b)(1) element 11: Information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework.	Completed	http://www.p12.nysed.gov/irs/arra/home.html	N/A
Indicator (b)(1) element 12: Other information determined necessary to address alignment and adequate preparation for success in postsecondary education.	Completed	http://www.p12.nysed.gov/irs/arra/home.html	N/A

Indicator	Progress	URL	State Plan
Indicator (b)(2): Indicate whether the State provides student growth data on their current students and the students they taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs.	Less than 50% completed	See State Plan	See State Plan
Indicator (b)(3): Indicate whether the State provides teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects with reports of individual teacher impact on student achievement on those assessments.	Less than 50% completed	See State Plan	See State Plan

Assurance (c): Standards and Assessments

Indicator	Progress	URL	State Plan
Indicator (c)(1): Confirm the approval status, as determined by the Department, of the State's assessment system under section 1111(b)(3) of the ESEA with respect to reading/language arts, mathematics, and science assessments.	Completed	http://www2.ed.gov/admins/lead/account/cornerstones/ny.pdf	N/A
Indicator (c)(2): Confirm whether the State has developed and implemented valid and reliable alternate assessments for students with disabilities that are approved by the Department.	Completed	http://www.p12.nysed.gov/osa/nysaa/ http://www2.ed.gov/admins/lead/account/nclbfinalassess/index.html#ny	N/A
Indicator (c)(3): Confirm whether the State's alternate assessments for students with disabilities, if approved by the	Completed	http://www.p12.nysed.gov/osa/nysaa/home.html	N/A

Indicator	Progress	URL	State Plan
Department, are based on grade-level, modified, or alternate academic achievement standards.			
Indicator (c)(4): Indicate whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides students with disabilities to ensure their meaningful participation in State assessments.	Completed	http://www.p12.nysed.gov/osa/reports/2010/accomm-10.pdf	Completed in December 2010
Indicator (c)(5): Confirm the number and percentage (including numerator and denominator) of students with disabilities who are included in State reading/language arts and mathematics assessments.	Completed	http://www.emsc.nysed.gov/irts/arra/NYSassessmentSummary-2008-09.pdf	N/A
Indicator (c)(6): Indicate whether the State has completed, within the last two years, an analysis of the appropriateness and effectiveness of the accommodations it provides limited English proficient students to ensure their meaningful participation in State assessments.	Completed	http://www.p12.nysed.gov/osa/reports/2010/accomm-10.pdf	Completed in December 2010
Indicator (c)(7): Confirm whether the State provides native language versions of State assessments for limited English proficient students that are approved by the Department.	Completed	http://www.p12.nysed.gov/sar/accommodations10-08.pdf http://www.p12.nysed.gov/osa/pub/accommodations-1209 http://www2.ed.gov/admins/lead/account/nclbfinalassess/index.html#ny	N/A

Indicator	Progress	URL	State Plan
Indicator (c)(8): Confirm the number and percentage (including numerator and denominator) of limited English proficient students who are included in State reading/ language arts and mathematics assessments.	Completed	http://www.p12.nysed.gov/irts/arra/NYSassessmentSummary-2008-09.pdf	N/A
Indicator (c)(9): Confirm that the State's annual State Report Card (under section 1111(h)(1) of the ESEA) contains the most recent available State reading and mathematics National Assessment of Educational Progress (NAEP) results as required by 34 CFR 200.11(c).	Completed	https://www.nystart.gov/publicweb-external/2010statewideCIR.pdf	Completed in February 2011
Indicator (c)(10): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), the number and percentage (including numerator and denominator) of students who graduate from high school using a four-year adjusted cohort graduation rate as required by 34 CFR 200.19(b)(1)(i).	Less than 50% completed	See State Plan	See State Plan
Indicator (c)(11): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i), the number and percentage (including numerator and denominator)	Less than 50% completed	See State Plan	See State Plan

Indicator	Progress	URL	State Plan
who enroll in an institution of higher education (IHE) (as defined in section 101(a) of the Higher Education Act of 1965, as amended (HEA)) within 16 months of receiving a regular high school diploma.			
Indicator (c)(12): Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), of the students who graduate from high school consistent with 34 CFR 200.19(b)(1)(i) who enroll in a public IHE (as defined in section 101(a) of the HEA) in the State within 16 months of receiving a regular high school diploma, the number and percentage (including numerator and denominator) who complete at least one year's worth of college credit (applicable to a degree) within two years of enrollment in the IHE.	Less than 50% completed	See State Plan	See State Plan

Assurance (d): Supporting Struggling Schools

Indicator	Progress	URL	State Plan
Indicator (d)(1): Provide, for the State, the average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on the State assessments in reading/language arts and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of	Less than 50% completed	See State Plan	See State Plan

Indicator	Progress	URL	State Plan
Title I schools in improvement, corrective action, or restructuring that have made progress (as defined in this notice) on State assessments in reading/language arts in the last year.			
Indicator (d)(2): Provide, for the State, the average statewide school gain in the “all students” category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on State assessments in mathematics and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of Title I schools in improvement, corrective action, or restructuring that have made progress on State assessments in mathematics in the last year.	Less than 50% completed	See State Plan	See State Plan
Descriptor (d)(1): Provide the definition of “persistently lowest-achieving schools” (consistent with the requirements for defining this term set forth in the Definitions section of the NFR) that the State uses to identify such schools.	Completed	http://www.p12.nysed.gov/irs/accountability/LowAchievement/2009/Methodology-IdentifyingPersistentlyLowestAchieveSchools.html	N/A
Indicator (d)(3): Provide, for the State, the number and identity of the schools that are Title I schools in improvement, corrective action, or restructuring, that are identified as persistently lowest-achieving schools.	Completed	http://www.p12.nysed.gov/irs/accountability/designations/2010/2010d3tod6.PDF	N/A
Indicator (d)(4): Provide, for the State, of the persistently lowest-achieving schools that	Completed	http://www.p12.nysed.gov/irs/accountability/designations/2010/2010d3tod6.PDF	N/A

Indicator	Progress	URL	State Plan
are Title I schools in improvement, corrective action, or restructuring, the number and identity of those schools that have been turned around, restarted, closed, or transformed (as defined in the NFR) in the last year.			
Indicator (d)(5): Provide, for the State, the number and identity of the schools that are secondary schools that are eligible for but do not receive, Title I funds, that are identified as persistently lowest-achieving schools.	Completed	http://www.p12.nysed.gov/irs/accountability/designations/2010/2010d3tod6.PDF	N/A
Indicator (d)(6): Provide, for the State, of the persistently lowest-achieving schools that are secondary schools that are eligible for, but do not receive, Title I funds, the number and identity of those schools that have been turned around, restarted, closed, or transformed in the last year.	Completed	http://www.p12.nysed.gov/irs/accountability/designations/2010/2010d3tod6.PDF	N/A
Indicator (d)(7): Provide, for the State and, if applicable, for each LEA in the State, the number of charter schools that are currently permitted to operate under State law.	Completed	http://www.p12.nysed.gov/p/sc/csdirectory/	N/A
Indicator (d)(8): Confirm, for the State and for each LEA in the State that operates charter schools, the number of charter schools currently operating.	Completed	http://www.p12.nysed.gov/p/sc/documents/03.01.11FinalforWEBwAuthrConvr.pdf	N/A
Indicator (d)(9): Provide, for the State and for each LEA in the State that operates charter schools, the number and percentage of charter schools that have made progress on State assessments in	Less than 50% completed	See State Plan	See State Plan

Indicator	Progress	URL	State Plan
reading/language arts in the last year.			
Indicator (d)(10): Provide, for the State and for each LEA in the State that operates charter schools, the number and percentage of charter schools that have made progress on State assessments in mathematics in the last year.	Less than 50% completed	See State Plan	See State Plan
Indicator (d)(11): Provide, for the State and for each LEA in the State that operates charter schools, the number and identity of charter schools that have closed (including schools that were not reauthorized to operate) within each of the last five years.	Completed	http://www.p12.nysed.gov/psc/documents/Clos120610.pdf	N/A
Indicator (d)(12): Indicate, for each charter school that has closed (including a school that was not reauthorized to operate) within each of the last five years, whether the closure of the school was for financial, enrollment, academic, or other reasons.	Completed	http://www.p12.nysed.gov/psc/documents/Clos120610.pdf	N/A

PART 3: INITIAL BASELINE DATA FOR EDUCATION REFORM ASSURANCES

SPECIAL NOTES:

- In completing this portion of the application, please refer to Appendix B – Instructions for Part 3: Initial Baseline Data for Education Reform Assurances.
- The data described in Appendix B for two of the education reform assurances in Part 2 of the application – the Improving Assessments Assurance and the Improving Standards Assurance – are the most current available baseline data for these areas. Thus, the Department is not inviting States to submit additional information with respect to these two assurances.
- The Governor or his/her authorized representative should confirm whether the initial baseline data sources described in Appendix B for the four assurances referenced below – Achieving Equity in Teacher Distribution; Improving Collection and Use of Data; Improving State Academic Content and Student Achievement Standards; and Supporting Struggling Schools – reflect the State's current status with respect to these assurances. A State that confirms the use of these initial baseline data sources does not have to submit additional baseline data with this application. If a State elects not to use the identified data sources for one or more of these four assurances, it must submit other initial baseline data for that assurance.

The Governor or his/her authorized representative confirms that the data sources that are currently available to the Department and described in Appendix B are a reasonable reflection of the current status of the State with respect to the following education reform assurances that he/she provided in Part 2 of the Application (*check only those assurances for which the State accepts the data described in Appendix B*):

- X Achieving Equity in Teacher Distribution Assurance.
- X Improving Collection and Use of Data Assurance.
- X Improving Standards Assurance.
- X Supporting Struggling Schools Assurance.

Governor or Authorized Representative of the Governor (Printed Name):

Signature:
(Document on File with the U.S. Department of
Education – No Further Action Necessary)

Date:

PART 4, SECTION A: MAINTENANCE-OF-EFFORT (MOE) ASSURANCE

SPECIAL NOTES:

- In completing Part 4 of the application, please refer to Appendix C – Instructions for Part 4: Maintenance of Effort.
- The Governor or his/her authorized representative should check only those MOE requirements that he or she anticipates the State will meet. If the Governor or his/her authorized representative anticipates that the State will be unable to meet one or more of the requirements, he or she must sign the additional waiver assurance in Part 4, Section B.
- For the purpose of determining MOE, State support for public institutions of higher education (IHEs) must not include support for capital projects or for research and development or tuition and fees paid by students.

The Governor or his/her authorized representative assures the following (*check appropriate assurances that apply*):

- X In FY 2009, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.
- X In FY 2010, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.
- X In FY 2011, the State will maintain State support for elementary and secondary education at least at the level of such support in FY 2006.
- X In FY 2009, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.
- X In FY 2010, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.
- X In FY 2011, the State will maintain State support for public IHEs at least at the level of such support in FY 2006.

---OR---

 To the best of his/her knowledge and based on the best available data, the State will be unable to meet any of the above-referenced maintenance-of-effort requirements.

Governor or Authorized Representative of the Governor (Printed Name):

Robert L. Megna, Director, Division of the Budget

Signature:

Robert L. Megna

Date:

3/21/11

PART 4, SECTION B: MAINTENANCE-OF-EFFORT WAIVER ASSURANCE

SPECIAL NOTES:

- If a State anticipates that it will be unable to comply with one or more of the Stabilization program MOE requirements referenced in Part 4, Section A of the application, the State must provide the assurance below.
- States that anticipate meeting all of the Stabilization program MOE requirements should not complete the waiver assurance in this section of the application. *See Appendix C – Instructions for Part 4: Maintenance of Effort. The criterion for a waiver of the MOE requirements is provided in Appendix C.*
- The Department will be providing additional guidance to States regarding the process for applying for waivers of the Stabilization program MOE requirements.

The Governor or his/her authorized representative assures the following:

To the best of his/her knowledge and based on the best available data, the State meets or will meet the eligibility criterion for a MOE waiver for each of the Stabilization program MOE requirements that the Governor or his/her authorized representative anticipates the State will be unable to meet.

Governor or Authorized Representative of the Governor (Printed Name):

Signature:

Date:

PART 4, SECTION C: MAINTENANCE-OF-EFFORT BASELINE DATA

SPECIAL NOTES:

- A State has some flexibility in determining the “levels of State support” for MOE purposes. For example, for the purpose of the elementary and secondary education MOE requirements, a State may use the level of support that the State provides through its primary elementary and secondary funding formulae, or it may use other relevant data. See Appendix C – Instructions for Part 4: Maintenance of Effort.

1. Levels of State support for elementary and secondary education *(the amounts may reflect the levels of State support on either an aggregate basis or a per-student basis):*

FY 2006 \$19,293,885,783 (Revised)

FY 2009* \$24,520,235,277 (Revised)

FY 2010* \$22,777,272,617 (Revised)

FY 2011* \$22,307,800,514 (Revised)

(* Provide data to the extent that data are currently available.)

2. Levels of State support for public institutions of higher education *(enter amounts for each year):*

FY 2006 \$3,275,000,000

FY 2009* \$4,282,424,400

FY 2010* \$4,133,723,300

FY 2011* \$3,980,701,000 (Revised)

(* Provide data to the extent that data are currently available.)

Information on File with the U.S. Department of Education – No Further Action Necessary

3. Additional Submission Requirements: In an attachment to the application

- (a) Identify and describe the data sources used in determining the levels of State support for elementary and secondary education; - and
- (b) Identify and describe the data sources used in determining the levels of State support for public IHEs.

PART 5, SECTION A: STATE USES OF THE EDUCATION STABILIZATION FUND

SPECIAL NOTES:

- Section A of Part 5 requests data on the Education Stabilization Fund (CFDA No. 84.394). In completing this portion of the application, please refer to Appendix D – Instructions for Part 5: State Uses of Funds.
- At a later date, the Department will collect data on the levels of State support for elementary, secondary, and postsecondary education in FY 2011.
- These data may differ from the data in the levels of support for maintenance-of-effort purposes. See instructions in Appendix D.
- The term “postsecondary education” refers to public IHEs.

1. Levels of State Support for Elementary, Secondary, and Postsecondary Education

Provide the following data on the levels of State support for elementary, secondary, and postsecondary education:

- | | |
|---|------------------------------|
| (a) Level of State support for elementary and secondary education in FY 2008 provided through the State's primary elementary and secondary education funding formulae | <u>\$18,782,355,682</u> |
| (b) Level of State support for public IHEs in FY 2008 | <u>\$4,072,911,000</u> |
| (c) Level of State support for elementary and secondary education in FY 2009 provided through the State's primary elementary and secondary education funding formulae | <u>\$20,417,212,126</u> |
| (d) Level of State support for public IHEs in FY 2009 | <u>\$4,282,424,400</u> |
| (e) Level of State support for elementary and secondary education in FY 2010 provided through the State's primary elementary and secondary education funding formulae | <u>\$21,991,078,942</u> |
| | <u>Prior Enacted:</u> |
| | <u>\$21,991,078,942</u> |
| | <u>Budgeted:</u> |
| | <u>\$19,259,588,485</u> |
| (f) Level of State support for public IHEs in FY 2010 | <u>\$4,133,723,300</u> |
| (g) Level of State support for elementary and secondary education in FY 2011 provided through the State's primary elementary and secondary education funding formulae | <u>\$18,697,958,363</u> |
| (h) Level of State support for public IHEs in FY 2011 | <u>\$3,980,701,000</u> |

Additional Information: Did the State, prior to October 1, 2008, approve formula increases to support elementary and secondary education in FY 2010 or 2011, or to phase in State equity and adequacy adjustments?*

✓ Yes

No

* See Appendix D Worksheets for further guidance on how such increases affect a State's "use of funds" calculations.

2. State's Primary Education Funding Formulae

Information on File with the U.S. Department of Education – No Further Action Necessary

Additional Submission Requirement: In an attachment to the application, identify and describe each of the State's primary elementary and secondary education funding formulae that were used in determining the calculations provided above for the levels of State support for elementary and secondary education.

3. Data on State Support for Postsecondary Education

Information on File with the U.S. Department of Education – No Further Action Necessary

Additional Submission Requirement: In an attachment to the application, identify and describe the specific State data sources that were used in determining the calculations provided above for the levels of State support for public IHEs.

4. Restoration Amounts

Based on the Worksheets included in Appendix D, calculate and provide the amount of Education Stabilization funds that the State will use to restore the levels of State support for elementary, secondary, and postsecondary education in FYs 2009, 2010 and 2011. As explained in the Instructions in Appendix D, a State must determine the amount of funds needed to restore fully the levels of State support for elementary, secondary, and postsecondary education in FY 2009 before determining the amount of funds available to restore the levels of such support in FY 2010.

SPECIAL NOTES:

- The calculations for these data must be based on the State's total Education Stabilization Fund allocation as reflected in Appendix A and not on the State's initial Education Stabilization Fund award.
- Although the State must follow the Instructions in Appendix D, in order to determine the amount of funds that LEAs and IHEs will receive under the program (i.e., the "restoration amounts"), the Governor has discretion in determining when to release these funds to LEAs and IHEs.

- | | |
|--|------------------------|
| (a) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2009 | \$0 |
| (b) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2009 | \$0 |
| (c) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2010 | <u>\$2,341,108,886</u> |
| (d) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2010 | <u>\$127,448,905</u> |
| (e) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for elementary and secondary education in FY 2011 | \$0 |
| (f) Amount of the State's total Education Stabilization Fund allocation to be used to restore the level of State support for public IHEs in FY 2011 | \$0 |
| (g) Amount of remaining funds, if any, awarded as subgrants to LEAs based on their proportionate shares of funding under Part A of Title I of the ESEA | \$0 |

5. Process for Awarding Funds to Public IHEs

Information on File with the U.S. Department of Education – No Further Action Necessary

Additional Submission Requirement: In an attachment to the application, describe the process that the State will use to determine the amount of funding that individual public IHEs will receive from the funds that the State sets aside to restore the levels of State support for these institutions.

**PART 5, SECTION B: STATE USES OF THE
GOVERNMENT SERVICES FUND**

SPECIAL NOTES:

- Section B of Part 5 requests data on the Government Services Fund (CFDA No. 84.397).
- In this section, provide preliminary estimates of the percentage of the Government Services Fund that the State intends to spend under various broad categories (to the extent such estimates are available). The total percentages in the chart should equal 100 percent.
- To the extent such estimates are available, the estimated percentages must be based on the State's total Government Services Fund allocation and not on the State's initial Government Services Fund award.

Uses of the Government Services Fund

Category	Dollar Amount - or - Percentage of Funds Allocated
Public Safety	
Elementary and secondary education (excluding modernization, renovation, or repair of public school facilities): <i>Teacher Centers (\$35M), Roosevelt Academic Improvement Grant (\$6M), Teacher Mentor-Intern Program (\$4M), Math & Science High Schools (\$2.8M), Syracuse Demonstration Program (\$0.7M).</i>	9%
Public IHEs (excluding modernization, renovation, or repair of IHEs): <i>State University of New York Community Colleges (\$27M), City University of New York Community Colleges (\$10.5M)</i>	7%
Modernization, renovation, or repair of public school facilities	
Modernization, renovation, or repair of IHEs	
Medicaid	
Public assistance	
Transportation	
Other (please describe) <ul style="list-style-type: none"> • <i>Restore support for student financial aid through the Tuition Assistance Program (TAP) (\$103.8M)</i> • <i>Restore support for Preschool Special Education (\$326.3M)</i> • <i>Mortgage Foreclosure Prevention Program (\$21.9M)</i> • <i>Restore support for public broadcasting (\$11.2M)</i> 	84%
TOTAL	100%

**PART 5, SECTION C: STATE USES OF STABILIZATION
FUNDS TO MAINTAIN FISCAL EFFORT**

SPECIAL NOTES:

- Under section 14012(d) of ARRA, a State may treat any portion of Stabilization funds used for elementary, secondary or postsecondary education as non-Federal funds for the purpose of any requirements to maintain fiscal effort under any other program administered by the Department.
- For FY 2009 and FY 2010, please provide the amount of Stabilization funds that the State used to meet maintenance of effort requirements under the ESEA and IDEA.
- For FY 2011, please provide the amount of Stabilization funds that the State intends to use to meet maintenance of effort requirements under the ESEA and IDEA.

State Fiscal Year	Title I	IDEA	Other ESEA Programs (Please Specify the program)
SFY 2009	N/A	N/A	N/A
SFY 2010	N/A	\$ 155.6M	N/A
SFY 2011	N/A	X	N/A
Total	N/A	N/A	N/A

PART 6: ACCOUNTABILITY, TRANSPARENCY, AND REPORTING ASSURANCES

The Governor or his/her authorized representative assures that the State will comply with all of the accountability, transparency, and reporting requirements that apply to the Stabilization program, including the following:

- For each year of the program, the State will submit a report to the Secretary, at such time and in such manner as the Secretary may require, that describes:
 - the uses of funds within the State;
 - how the State distributed the funds it received;
 - the number of jobs that the Governor estimates were saved or created with the funds;
 - tax increases that the Governor estimates were averted because of the funds;
 - the State's progress in reducing inequities in the distribution of highly qualified teachers, implementing a State longitudinal data system, and developing and implementing valid and reliable assessments for limited English proficient students and children with disabilities;
 - the tuition and fee increases for in-State students imposed by public IHEs and a description of any actions taken by the State to limit the increases;
 - the extent to which public IHEs maintained, increased, or decreased enrollment of in-State students, including those students eligible for Pell Grants or other need-based financial aid; and
 - a description of each modernization, renovation or repair project funded, including the amounts awarded and project costs. (ARRA Division A, Section 14008)
- The State will cooperate with any Comptroller General evaluation of the uses of funds and the impact of funding on the progress made toward closing achievement gaps. (ARRA Division A, Section 14009)
- If the State uses funds for any infrastructure investment, the State will certify that the investment received the full review and vetting required by law and that the chief executive accepts responsibility that the investment is an appropriate use of taxpayer funds. This certification will include a description of the investment, the estimated total cost, and the amount of covered funds to be used. The certification will be posted on the State's website and linked to www.Recovery.gov. A State or local agency may not use funds under the ARRA for infrastructure investment funding unless this certification is made and posted. (ARRA Division A, Section 1511)
- The State will submit reports, within 10 days after the end of each calendar quarter, that contain the information required under section 1512(c) of the ARRA in accordance with any guidance issued by Office of Management and Budget or the Department. (ARRA Division A, Section 1512(c))
- The State will cooperate with any Inspector General examination of records under the program. (ARRA Division A, Section 1515)

Governor or Authorized Representative of the Governor (Printed Name):

Signature:
**Document on File with the U.S. Department of
Education – No Further Action Necessary**

Date:

PART 7: OTHER ASSURANCES AND CERTIFICATIONS

The Governor or his/her authorized representative assures or certifies the following:

- The State will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and the State will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all sub awards at all tiers.
- The State will comply with all of the operational and administrative provisions in Title XV and XIV of the ARRA, including Buy American Requirements (ARRA Division A, Section 1605), Wage Rate Requirements (ARRA Division A, Section 1606), and any applicable environmental impact requirements of the National Environmental Policy Act of 1970 (NEPA), as amended, (42 U.S.C. 4371 et seq.) (ARRA Division A, Section 1609). In using ARRA funds for infrastructure investment recipients will comply with the requirement regarding Preferences for Quick Start Activities (ARRA Division A, Section 1602).
- Any LEA receiving funding under this program will have on file with the State a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.

- The State and other entities will comply with the following provisions of Education Department General Administrative Regulations (EDGAR), as applicable: 34 CFR Part 74 -- Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations; 34 CFR Part 76 -- State-Administered Programs, including the construction requirements in section 75.600 through 75.617 that are incorporated by reference in section 76.600; 34 CFR Part 77 -- Definitions that Apply to Department Regulations; 34 CFR Part 80 -- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the procurement provisions; 34 CFR Part 81 -- General Education Provisions Act—Enforcement; 34 CFR Part 82 -- New Restrictions on Lobbying; 34 CFR Part 85 -- Government-wide Department and Suspension (Non-procurement).

Governor or Authorized Representative of the Governor (Printed Name):	
Signature: Document on File with the U.S. Department of Education – No Further Action Necessary	Date:

Explanation of Changes to Maintenance of Effort (MOE) Amounts

Elementary and Secondary Education:

As previously explained, New York State has elected to use its own calculation of State support for elementary and secondary education that includes all State Aid and amounts provided through the School Tax Relief (STAR) program that represent payments made to school districts in lieu of property taxes that would otherwise be paid by district residents. This total excludes amounts provided for the Universal Prekindergarten Program (UPK) and Employment Preparation Program (EPE) that are not directly related to elementary and secondary education.

The State Education Department (SED) is statutorily required to produce an estimate of State support for elementary and secondary education three times a year (November, February and May), and is updated to reflect additional claiming or revisions made by school districts for various aid categories that is permitted throughout the year (see New York State Education Law §305(21)).

The MOE School Aid data included in this table for all years have been updated and are derived from a School Aid dataset compiled by SED in February 2011. The total amounts, for any given school year, may be further revised in May 2011 and November 2011, and for several years to come based on additional claiming or revisions made by individual school districts for any of the various formula-based School Aids. Even with these changes, the State support for elementary and secondary education is still significantly above the requirement MOE.

We should note that the FY 2011 MOE for elementary and secondary education provided in the revised Phase I/Phase II applications inadvertently overstated State spending for MOE purposes by \$50.8 million due to the inclusion of State funding which, although paid to school districts, is not traditionally counted as State School Aid.

Additionally, the FY 2011 Enacted Budget included a uniform reduction to local assistance payments in an amount up to the level of the shortfall between the actual amount of the six-month enhanced Federal Medicaid Assistance Program (FMAP) extension and the amount previously assumed in the State's Financial Plan for FY 2011. The School Aid reduction attributed to this action was \$131.5 million.

The balance of FY 2011 MOE change is attributed to additional claiming and/or revisions made by individual school districts for the various formula-based School Aids.

Public Institutions of Higher Education:

The FY 2011 MOE change for public institutions of higher education was primarily attributable to a uniform reduction to local assistance payments in an amount up to the level of the shortfall between the actual amount of the six-month enhanced Federal Medicaid Assistance Program (FMAP) extension and the amount previously assumed in the State's Financial Plan for FY 2011 in the amount of \$4.7 million, and a further reduction in July 2010.

New York State Maintenance of Effort Amended Application

Elementary and Secondary Education				
Fiscal Year	Approved Phase I Application	Revised Phase I/ Approved Phase II Application	Amended Application	Change from Revised Phase I/ Phase II
FY 2006	\$19,859,480,902	\$19,327,255,772	\$19,293,885,783	(\$33,369,989)
FY 2009	N/A	\$24,570,274,526	\$24,520,235,277	(\$50,039,249)
FY 2010	N/A	\$22,764,548,422	\$22,777,272,617	\$12,724,195
FY 2011	N/A	\$22,553,843,260	\$22,307,800,514	(\$246,042,746)

Public Institutions of Higher Education				
Fiscal Year	Approved Phase I Application	Revised Phase I/ Approved Phase II Application	Amended Application	Change from Revised Phase I/ Phase II
FY 2006	\$3,275,000,000	\$3,275,000,000	\$3,275,000,000	\$0
FY 2009	\$4,250,424,400	\$4,282,424,400	\$4,282,424,400	\$0
FY 2010	\$4,167,337,300	\$4,133,723,300	\$4,133,723,300	\$0
FY 2011	N/A	\$4,004,173,300	\$3,980,701,000	(\$23,472,300)

Explanation of Changes to State Plan

Please note that the requirements for Indicator C4, Indicator C6 and Indicator C9 have been completed. The web-links and date of completion are provided in the tables above.

New York State Plan Amended SFSF Application

Executive Summary

New York State's Plan is intended to drive improved, college-ready educational achievement for all of our students, with a particular focus on historically under-served priority populations including low-income students, African-American students, Hispanic students, English language learners and students with disabilities.

The State consulted extensively with a variety of groups in preparing the original application and State Plan over the course of several months. Stakeholders included statewide associations for teachers, principals, superintendents, school boards, parents, teacher preparation, and educational technology. The result was a coordinated plan that leverages and aligns State resources and practices to improve education outcomes for all our students and close gaps in achievement.

While New York State currently collects and reports data related to most of these indicators, consistent with the requirements of this application, we developed the State Plan to address the areas where the State does not currently collect and report the required data. Especially in the assurance area of "Achieving Equity in Teacher Distribution", the State has already taken great steps to improve teacher and principal evaluations. In 2010, the State enacted legislation that will require local educational agencies (LEAs) to use a more comprehensive annual teacher and principal evaluation system. This enhanced evaluation system will expand the rigor and scope of existing evaluation tools to include student performance and growth data and be used in decisions regarding teacher and principal development, compensation, promotion and retention (Chapter 103 of the Laws of 2010).

To supplement an enhanced evaluation system and provide rapid-time student performance data to teachers, administrators and State education officials, the State will work to complete its P-20 statewide longitudinal data system. This data system will be designed to create an instructional reporting and improvement system that will enhance teacher and principal preparation, development and evaluation, as well as track and improve the progress of students from early childhood through college. The development of this comprehensive data system has the support of the entire education community in New York State. To demonstrate the State's commitment to implementing these data systems, the State also provided \$20.4 million in capital funding for this purpose (Chapter 100 of the Laws of 2010).

The Board of Regents and State Education Department (SED), in consultation with the Governor's Office and in cooperation with other State agencies and institutions of higher education will ensure that the elements of this State Plan are in place by the September 30, 2011 deadline.

the number and percentage of principals rated in each category and the number and percentage of principal evaluations that included student achievement outcomes and student growth data during the 2010-11 school year. These results will be posted on the SED website by September 30, 2011. As evaluations using the reformed system are carried out, beginning in 2011-12, SED will publicly report on the SED website the descriptions of the evaluation systems and the number and percent of principals rated in each of the four categories: Ineffective, Developing, Effective, and Highly Effective by September 30, 2012.

SED will begin to collect student growth data for teachers in school districts and charter schools directly from school districts for the 2010-11 school year in the fall of 2010. All data will be collected prior to September 30, 2011. SED will also collect teacher/course data directly from the regional Boards of Cooperative Educational Services (BOCES) electronically through the Student Information Repository System (SIRS). The 2010-11 school year will be the baseline year for the evaluations that will be conducted at the conclusion of the 2011-12 school year for teachers in grades 4-8 and school principals. School districts will provide data on the number and percentage of teachers and principals rated at each level via extracts from Student Management Systems (SMS) and Human Resource systems, SED will also provide a web-based application ("Level 0") for this to be accomplished if an entity does not have a SMS or HR system in place.

Plan to Enhance Teacher Quality

Pursuant to a USED monitoring visit for ESEA Title IIA in February 2010, SED submitted a corrective action plan, subsequently approved by USED, to revise its 2006 "Plan to Enhance Teacher Quality" (including equitable distribution of highly effective teachers and leaders). The plan, completed in January 2011, is in the beginning stages of implementation and incorporates the changes described above. The plan addresses the following areas related to equitable distribution:

- Collaborative development of Teaching Standards that exemplify the behaviors and dispositions of highly effective teachers;
- Collaborative development of evaluation tools that will be used to sustain professional growth over the span of a teaching career. A Regents Task Force is currently working on recommendations for regulating the teacher evaluation process;
- Teacher preparation programs that invest in the academic readiness, authentic experience, and nurtured support that will result in increased effectiveness and long-term retention;
- Creation of clinically-rich teacher preparation pilot programs that focus on preparing teachers to teach shortage area subjects in high-need schools/communities;
- Strengthening the clinical and content portions of teacher certification exams and linking data on the effectiveness of program graduates back to the institutions where they were prepared;

SED will collect the information through its existing Personnel Master File and Basic Education Data System. SED will use its existing resources for this task and school districts will use their existing resources to report; no new State, federal, or local funds will be needed.

Budget for New Evaluation System

SED proposes allocating approximately \$2.6 million in Federal funds over 2010-11 – 2012-13 to implement the reformed Annual Professional Performance Review requirements and procedures for teachers and principals. This will support the diagnostic review of evaluation processes and implementation by school districts of the reformed requirements and procedures.

D. New York's Public Reporting on the Plan, Progress Reports on Its Plan, Including The Nature and Frequency Of Updated Reports To The Public on Actions Taken Under The Plan and the Websites Where The Plan and Progress Reports Publicly Available

SED will provide reports and updates on the status of this plan. The materials for all Board of Regents meetings are posted publicly on the web and the meetings of the full board are webcast. The Board of Regents meets monthly except for August. The reports will be posted on the following web sites and will provide updates on the status of meeting all milestones, and adopting regulatory and statutory changes.

Material and Agenda for Board of Regents Meetings: <http://www.regents.nysed.gov/meetings/>

The revised NYS Plan to Enhance Teacher Quality, when completed in 2011, and updates on progress, will be published on <http://www.emsc.nysed.gov/ppd/HQT-Equitable.html>.

A description of this plan can also be found in Section D of New York State's Race to the Top application (page 149-234) <http://usny.nysed.gov/rttt/application/criteriapriorities.pdf>

Process and Timeline for Developing and Implementing the Remaining Plan Elements by September 30, 2011

A. Milestones and dates

Timeline for Reporting Existing Evaluation System and Results:

February 28, 2011:	Commissioner of Education sent a written request to each District Superintendent of Schools and Big Five City School Leaders to transmit electronically a copy of every school district's existing plan for the Annual Professional Performance Review of principals and teachers and to report by June 30, 2011, the number of principals and teachers rated in each of the evaluation categories used by the district, the percentage of all principals and teachers in each category, and whether the evaluations include student achievement outcomes or student growth data and how the results
--------------------	--

- April 2011: Task Force makes recommendations to the Commissioner for implementing new law including student growth in performance evaluations of teachers and principals.
- April 2011: Regents discuss recommendations on implementing regulations for teacher and principal performance evaluation law.
- May 2011: Regents take action on recommended regulations implementing the law.
- 2011-12: Implement reformed Annual Professional Performance Review, including prescribed student growth measures, for teachers in the common branch subjects or English Language Arts and Math in grades 4-8 and for principals in schools in which those teachers are employed.
- August 2012: Board of Regents discusses adopting a value-added model for measuring effectiveness of teachers and principals.
- September 30, 2012: SED reports on the reformed Annual Professional Performance Review system and the number and percentage of evaluated teachers in each evaluation category: Ineffective, Developing, Effective, and Highly Effective.
- 2012-13: Implement the reformed Annual Professional Performance Review for all remaining teachers and principals.
- September 30, 2013: SED reports on the reformed Annual Professional Performance Review system and the number and percentage of evaluated teachers in each evaluation category: Ineffective, Developing, Effective, and Highly Effective.

B. Obstacles that may prevent the State from developing and implementing the plan by September 30, 2011

None anticipated

C. Reports that the State will provide to the public regarding its progress in developing and implementing those means

SED will report on the status of this plan to the Governor and Board of Regents. The materials for all Board of Regents meetings are posted publicly on the web and the meetings of the full board are web cast. The Board of Regents meets monthly except for August. The reports will be posted on the following websites and will provide updates on the status of meeting all milestones, and adopting regulatory and statutory changes.

B. Agencies, Institutions, and Organizations, Providing Technical Assistance and Other Support in the Development, Execution, and Oversight of the Plan, and the Nature of Such Technical Assistance and Other Support

SED is responsible for the annual New York State School Report Cards published for every school and district.

C. Overall Budget for the Development, Execution, and Oversight of the Plan

There will be no additional budget expense to make these changes.

D. New York's Public Reporting on the Plan, Progress Reports on Its Plan, Including The Nature and Frequency Of Updated Reports To The Public on Actions Taken Under The Plan and the Websites Where The Plan and Progress Reports Publicly Available

SED will report to the Governor and the Board of Regents on the status of the plan to modify the State School Report Cards. The materials for all Board of Regents meetings are posted publicly on the web and the meetings of the full board are web cast. The Board of Regents meets monthly except for the month of August. The reports will be posted on the following websites and will provide updates on the status of meeting all milestones, and adopting regulatory and statutory changes.

Material and Agenda for Board of Regents Meetings: <http://www.regents.nysed.gov/meetings/>

Department updates on the American Recovery and Reinvestment Act Funding and Reporting: <http://usny.nysed.gov/ARRA>

Process and Timeline for Developing and Implementing the Remaining Plan Elements by September 30, 2011

A. Milestones and dates

Indicator (c)(10) requires the State to "Provide, for the State, for each LEA in the State, for each high school in the State and, at each of these levels, by student subgroup (consistent with section 1111(b)(2)(C)(v)(II) of the ESEA), the number and percentage (including numerator and denominator) of students who graduate from high school using a four-year adjusted cohort graduation rate as required by 34 CFR 200.19(b)(1)(i)." The 2010 New York State School Report Card will contain NAEP results. The school report cards will be posted at: <http://www.emsc.nysed.gov/irts/reportcard/>.

B. Obstacles that may prevent the State from developing and implementing the plan by September 30, 2011

No obstacles are foreseen in implementing any portions of the plan.

D. New York's Public Reporting on the Plan, Progress Reports on Its Plan, Including The Nature and Frequency Of Updated Reports To The Public on Actions Taken Under The Plan and the Websites Where The Plan and Progress Reports Publicly Available

SED will report to the Governor and the Board of Regents on the status of the plan to ensure quality teachers and principals in all schools. The materials for all Board of Regents meetings are posted publicly on the web and the meetings of the full board are web cast. The Board of Regents meets monthly except for August. The reports will be posted on the following websites and will provide updates on the status of meeting all milestones, and adopting regulatory and statutory changes.

Materials and agenda for Board of Regents Meetings: <http://www.regents.nysed.gov/meetings/>

Department updates on the American Recovery and Reinvestment Act Funding and Reporting: <http://usny.nysed.gov/ARRA>

Process and Timeline for Developing and Implementing the Remaining Plan Elements by September 30, 2011

A. Milestones and dates

The Board of Regents has strengthened the State's response to assist struggling schools. Four elements are not yet publicly reported but will be available on the SED's website by September 1, 2011. Indicator (d)(1) requires the State to *"Provide, for the State, the average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on the State assessments in reading/language arts and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of Title I schools in improvement, corrective action, or restructuring that have made progress (as defined in this notice) on State assessments in reading/language arts in the last year."* The State is in the process of updating its definition to comply with recent Education Department Guidance and will recalculate student achievement gains.

Fall 2010: Update definitions.

September 2011: Post indicator data on the SED public website.

Indicator (d)(2) requires the State to *"Provide, for the State, the average statewide school gain in the "all students" category and the average statewide school gain for each student subgroup (as under section 1111(b)(2)(C)(v) of the ESEA) on State assessments in mathematics and for the State and for each LEA in the State, the number and percentage (including numerator and denominator) of Title I schools in improvement, corrective action, or restructuring that have made progress on State assessments in mathematics in the last year."* The State is in the process of updating its definition to comply with recent Education Department guidance.

II. INDICATOR (b)(1)

Plan Instructions

If (as indicated in Part 3A) the State does not have a statewide longitudinal data system that fully includes all 12 elements of the America COMPETES Act, as addressed in indicator (b)(1), please attach a plan that provides the process and timeline for developing and implementing, as soon as possible, but no later than September 30, 2011, a statewide longitudinal data system that includes all 12 elements of the America COMPETES Act, including the following information:

- The milestones that the State establishes toward developing and implementing those means;
- The date by which the State expects to reach each milestone;
- Any obstacles that may prevent the State from developing and implementing those means by September 30, 2011, including but not limited to requirements and prohibitions of State law and policy;
- The nature and frequency of reports that the State will provide to the public regarding its progress in developing and implementing those means; and
- The amount of funds the State is using or will use to develop and implement those means, and whether the funds are or will be Federal, State, or local funds.

Furthermore, the plan must satisfy the following general requirements:

- (A) Describe the agency or agencies in the State responsible for the development, execution, and oversight of the plan, including the institutional infrastructure and describe the capacity of the agency or agencies as they relate to each of those tasks;
- (B) Describe the agency or agencies, institutions, or organizations, if any, providing technical assistance or other support in the development, execution, and oversight of the plan, and describe the nature of such technical assistance or other support;
- (C) Provide the overall budget for the development, execution, and oversight of the plan; and
- (D) Describe the way the State will publicly report the plan and the State's progress reports on its plan, including the nature and frequency of updated reports to the public on State actions taken under the plan and the website where the State will make the plan and progress reports publicly available (as defined in the Notice of Final Requirements, Definitions, and Approval Criteria for the SFSF Phase II).

Plan Element Verification: Please mark which elements, per the instructions in Part 1, must be addressed in your state plan:

III. INDICATOR (b)(2)

Instructions: If (as indicated in **Part 3A, Indicator (b)(2)**) the State does not provide student growth data on their current students and the students they taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects, in a manner that is timely and informs instructional programs, please attach a plan that provides:

The process and timeline for developing and implementing the means to provide teachers with such data by September 30, 2011, including:

- The milestones that the State establishes toward developing and implementing those means and the date by which the State expects to reach each milestone;
- Any obstacles that may prevent the State from developing and implementing those means by September 30, 2011 (including but not limited to requirements and prohibitions of State law and policy);
- The nature and frequency of reports that the State will provide to the public regarding its progress in developing and implementing those means; and
- The amount of funds the State is using or will use to develop and implement those means, and whether the funds are or will be Federal, State, or local funds.

Furthermore, the plan must satisfy the following general requirements:

- (A) Identify the agency or agencies in the State responsible for the development, execution, and oversight of the plan, including the institutional infrastructure and describe the capacity of the agency or agencies as they relate to each of those tasks;
- (B) Identify the agency or agencies, institutions, or organizations, if any, providing technical assistance or other support in the development, execution, and oversight of the plan, and describe the nature of such technical assistance or other support;
- (C) Provide the overall budget for the development, execution, and oversight of the plan; and
- (D) Describe the way the State will publicly report the plan and the State's progress reports on its plan, including the nature and frequency of updated reports to the public on State actions taken under the plan and the website where the State will make the plan and progress reports publicly available (as defined in the Notice of Final Requirements, Definitions, and Approval Criteria for the SFSF Phase II).

Indicators (b2) and (b3): Measuring Teacher Effectiveness

A new State law enacted in May 2010 calls on SED to establish for the Board of Regents approval a statewide value-added growth model for teacher and principal evaluations and to promulgate regulations governing development of local measures of student growth and other valid measures of teacher effectiveness. New York's system is based on multiple measures of effectiveness, which include student achievement as a significant factor. Pursuant to the law, student growth is one measure of student achievement and is defined as "the change in student achievement for an individual student between two or more points in time." The law specifies that student achievement will comprise 40 percent of teacher and principal evaluations and ratings in accordance with the following minimum requirements:

- 2011-12 for teachers in the common branch subjects or English Language Arts and math in grades 4-8 only and for school principals in buildings in which these teachers are employed: 20 percent student growth on State assessments or comparable measures and 20 percent other locally-selected measures that are rigorous and comparable across classrooms in accordance with standards prescribed by the Commissioner.
- 2012-13 and subsequent years before Board of Regents approval of a value-added model for all teachers and principals: 20 percent student growth on State assessments or comparable measures and 20 percent other locally selected measures that are rigorous and comparable across classrooms in accordance with standards prescribed by the Commissioner.
- Subsequent years following Board of Regents approval of a value-added model for all teachers and principals: 25 percent student growth on State assessments or comparable measures and 15 percent other locally selected measures that are rigorous and comparable across classrooms in accordance with standards prescribed by the Commissioner.
- The remaining 60 percent of the evaluations and ratings would be based on locally developed measures through collective bargaining (e.g., classroom observations by trained evaluators), in accordance with standards prescribed by the Commissioner.

The annual professional performance reviews will result in a single composite teacher or composite principal effectiveness score that will incorporate multiple measures related to the criteria included in the Commissioner's Regulations which include student growth.

SED will continue to seek the input of teachers, principals and other stakeholders in developing the teacher and principal evaluation systems and in monitoring and evaluating their effectiveness during implementation. Chapter 103 of the Laws of 2010 requires that any regulations relating to the evaluation system must be developed in consultation with an advisory committee consisting of representatives of teachers, principals, superintendents of schools, school boards, school district and board of cooperative educational services officials and other interested parties. This will be accomplished through close, ongoing collaboration with SED's Teacher and Principal Effectiveness Advisory Committee.